

**REMARKS**

This application is a continuation-in-part of application serial number 10/157,477, which has issued. Correspondingly, the specification has been amended to reference the issued application number. Applicants have amended the numbering of claims 39-57 to 38-56. For simplicity, all additional reference to the claims, however, will be according to their original numbering. Applicants have also amended original claims 35, 37, 41, and 48 to correct a scribes error. Original claims 39, 43, 46, and 56 have also been amended. Support for the amendment to claims 39, 43, and 56 can be found explicitly or inherently within the respective claims. Support for the amendment to claims 46 can be found in inherently within the claim and in FIG. 2 and the accompanying text. The Applicant submits that these minor amendments and corrections herein are made without prejudice as to patentability, including the doctrine of equivalents, and that no new matter has been added. The Applicants also submit herewith a terminal disclaimer in compliance with 37 CFR § 1.321(c) and the required fee of \$65 for a small entity.

**The Abstract Complies with MPEP § 608.01(b)**

The Applicants respectfully submit that the abstract, with all changes accepted, is currently 147 words long.

**Claims 46, 48-51, 53, 54, 56 and 57 are Not Anticipated and are Nonobvious.**

The Examiner rejected original claims 46, 48-51, 53, 54, 56, and 57 under 35 U.S.C. § 102(b) as being anticipated by Mogab et al., U.S. Patent No. 5,878,447 (hereinafter "Mogab"). The Applicants respectfully traverse the rejection.

Embodiments of the present claimed invention relate to an apparatus and methods for controlling water level in a pool. According to a claimed embodiment of the present claimed invention, the apparatus includes a sensor assembly 21 and a receiving assembly. The sensor assembly 21 primarily includes a water level sensor 28 (probes 30), a processor 48, a wave filter timer 61, and a transmitter 50. The sensor assembly 21 also includes a tilt-type switch 46 which turns on or off/resets sensor 28 by tilting the housing 29 of the sensor 28. The tilt switch 46 can be used to conserve battery/power source life. The receiving assembly primarily includes a

receiver 22, an overfill timer 91, and a solenoid valve 23 and is positioned to control water flow into the pool 10.

In operation, the sensor assembly 21 is tilted to be in an on position and in an embodiment, for example, is releasably wedged between upper and lower sides of throat 24 of pool 10 (FIG. 2), at least partially immersed in the pool's water. A processor 48 detects if the sensor 28 senses low water, and a wave filter timer 61 turns on for a selected interval when the processor detects low water. To help overcome the effects of waves, the processor 48 can delay sending the low water signal until the end of the selected interval. If a low water indication is detected continuously during the selected interval, at the end of the selected interval, the processor 48 will cause the transmitter 50 to send to a receiver 22 a momentary signal indicating low water signal to open the water supply valve 23 to allow water to flow into the pool. This can be accomplished according to a continuous monitoring-transmitting loop until the pool is full or slightly overfilled. To help prevent excessive overfilling of the pool 10, the overfill counter/timer 91 associated with the receiver 22 turns on/counts for a selected interval when the receiver 22 receives the low water signal. To help ensure the pool is adequately filled, the receiver 22 can reset the overfill counter 91 prior to reaching the selected/predetermined count each time that the receiver receives a low water signal. If the overfill counter 91 has not been reset by the time the selected/predetermined count is reached, the supply valve 23 will be closed upon reaching the selected/predetermined count.

Mogab describes a water regulator apparatus (10) including a transmitting assembly (14) housed in a housing (16) directly attached underneath a skimmer cover (12). *See* col. 4, line 66 to col. 5, line 2 and FIG. 1. An upper level sensor (38) and a lower level sensor (40) extend downwardly from the housing (16). *See* FIG. 1. In operation, when the water level in the pool (2) drops below the low level sensor (40), transmitting microcontroller (24) commands transmitter (26) to send a radio transmission to be received by receiver (44) which sends a signal to receiving microcontroller (46) which causes a water fill valve means (48) to supply water to the pool (2). *See* col. 6, lines 27-37. Once the water level has reached to the upper level sensor (38), the transmission from transmitter (26) is terminated. *See* col. 6, lines 39-41. In response to termination of the transmission from transmitter (26), receiver (44) in turn stops sending its own signal to the receiving microcontroller (46). *See* col. 6, lines 39-43. In response to termination of

receipt of the signal from receiver (44), microcontroller (46) deactivates the water fill valve (48).  
*See* col. 6, lines 39-44.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference, whereby the identical invention must be shown in as complete detail as is contained in the claim. Mogab does not set forth each and every element featured in claims 46, 48-51, 53, 54, 56, and 57.

Mogab, as a minimum, does not disclose, teach, or suggest placing the housing (16) in a portion of the pool at least partially submerged, as featured in independent claim 46; or causing transmitter (26) to send a momentary signal indicating low water level if the processor detects low water in the pool for a preselected time period, as featured in independent claims 46 and 56. First, due to its design, Mogab housing (16), directly attached underneath the skimmer cover (12), is positioned above the water level of the pool (2) so that the lower level sensor (40) can extend downwardly into the pool (2) at a different level than that of the upper level sensor (38) to independently detect when the water level is below the lower level sensor (40) and when the water reaches upper level sensor (38). *See* FIGS. 1 and 2. Second, the Mogab transmitting assembly (14) provides a continuous repeating (periodic) transmission of the low water signal until the "water level has reached a specified upper-level [at which time] the transmitter 26 stops sending the low water level radio transmission to the receiver 44 which in turn stops sending its own signal to the receiving microcontroller 46 which in turn deactivates the water fill valve 48 to automatically turn off the water supply line to the pool." *See* Mogab, col. 5, lines 41-46 and col. 6, lines 39-44. Clearly, Mogab is structurally configured to require termination of the transmission as an indication that the proper water level has been reached. Applicants claimed invention requires no such structure or function. Rather, Applicants sensor assembly 21 need only momentarily indicate to its receiving assembly that the water level is low. This is an important distinction and feature of Applicants claimed invention. Accordingly, Applicants respectfully submit that claims 46 and 56 are novel, nonobvious, and patentable over Mogab.

The dependent claims 48-51, 53, 54, and 57 are also novel, nonobvious, and patentable over Mogab because their corresponding independent claim has been shown to be novel and non-obvious. Nevertheless, the dependent claims include independent novelty and nonobviousness. For example, regarding claim 48, Mogab alone or in combination with Yeung does not disclose,

teach, or suggest use of a tilt switch, and therefore does not disclose, teach, or suggest placing the housing in an upright position to cause the switch to close and send power to the processor.

Regarding claim 49, Mogab does not disclose, teach, or suggest sending a momentary digitally encoded signal indicating low water level. As stated above, Mogab requires a continuously delivered repeating (periodic) transmission stream until the "water level has reached a specified upper-level."

Regarding claim 50, Mogab does not disclose, teach, or suggest delaying for a predetermined interval before supplying power from microcontroller (24) to the transmitter (26) causing the transmitter (26) to send a momentary low water digitally encoded signal. *See* col. 6, lines 30-33 (stating that "[i]f the water level 13 is below a specified lower threshold, the transmitter 26 sends a radio transmission to be received by the receiver 44"). No such delay is taught or suggested.

Regarding claim 51, Mogab does not disclose, teach, or suggest that transmitter (26) is supplied with power only when the microcontroller (24) directs the transmitter (26) to send the low water signal. As shown in FIG. 4, the power input of the transmitter (26) is from a 12 volt supply and not from the output of microcontroller (24), thus the transmitter has power continuously available. Also, for this same reason, Mogab does not disclose, teach, or suggest supplying power to the transmitter (26) from an output of microcontroller (24) *only* during a duty cycle and *only* when the microcontroller (24) directs the transmitter (26) to send the low water signal, as featured in claim 53. Mogab is simply not structurally configured to do so, and therefore, cannot teach such feature.

Regarding claims 54 and 57, Mogab does not disclose, teach, or suggest delaying sending a low battery voltage indication until a processor detects low water (claim 54), or encoding a low battery voltage indication into the low water signal being sent by the transmitter (26) (claims 54 and 57). No such features are provided.

**Claims 32-45, 47, 53 and 55 are Not Obvious.**

The Examiner rejected original claims 32-45, 47, 53, and 55 under 35 U.S.C. § 103(a) as being obvious over Mogab in view of Yeung et al. U.S. Patent No. 5,167,216 (hereinafter "Yeung"). The Applicant respectfully traverses the rejection.

Mogab was described above. Yeung describes a vapor jacketed cooking vessel (steam kettle) with gas burner. The inherent problem solved by Yeung appears to be the desire to improve conventional kettles with gas heated burners, particularly those that are tiltable, by positioning the burner at least partially within a tubular portion of an evaporator. *See* col. 1, lines 45-47. Although not described or shown, one embodiment includes a tilt switch which will interrupt the burner fuel supply when the kettle is in the tilted position and an inner wall of a tubular portion of an evaporator becomes uncovered. *See* col. 2, lines 11-18. That is, the Yeung requires a combination of tilt and low water for the tilt switch to function to "inactivate the burner."

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *See* MPEP 2143. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *See* MPEP 706.02(J). "The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification." *See In re Fritch*, 23 U.S.P.Q. 2d 1780, 1784 (Fed. Cir. 1992).

The Applicant respectfully submits that neither of the cited references suggest any explicit or implicit motivation or desire to combine the references to accomplish Applicants' present invention. Further, Applicant respectfully submits that Yeung is not analogous art because it is not reasonably pertinent to the particular problems with which the Applicants or Mogab was concerned.

#### **No Suggestion or Motivation to Combine or Modify References**

There are three possible sources for a motivation to combine references: "the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art." *See* MPEP § 2143.01. As described previously, Mogab was concerned with having a swimming pool water regulator apparatus which would cause a pool water valve to turn on if the water level is below a predetermined threshold and subsequently shut off when the water level reaches a predetermined water level height. *See* col. 3, lines 61-67. Yeung was

concerned with improving steam kettles with gas burners by at least partially positioning the gas burner within an evaporator. *See* col. 1, lines 45-47. Applicants' problem included the desire to improve upon the Mogab apparatus. *See* Application, page 2, lines 13-15. Clearly, there would be no motivation to combine such disparate references to try to solve the Applicants problem even using Applicants disclosure as a roadmap. Correspondingly, one skilled in the art would not be motivated to combine these references, nor the desire to do so. Thus, this element is lacking.

**No Reasonable Expectation of Success**

Applicants respectfully submit that the second element of a *prima facie* case for obviousness is also lacking because there must be, and there is not in this present case, a reasonable expectation of success. Applicant respectfully submits that modifying Mogab to include a tilt switch which will interrupt burner fuel supply when a kettle is in the tilted position and an inner wall of a tubular portion of an evaporator becomes uncovered would not result in Applicants claimed invention. Further, even if it could be modified and there was some indication of a desirability to do so, which there is not, the Mocab transmitting assembly (14) is directly attached underneath the skimmer cover (12) which is positioned flat along the pool walkway, i.e., not tiltable in its normal operation configuration. Thus, this element is lacking.

**The References Do Not Teach or Suggest All Claim Limitations**

Applicants respectfully submit that the third element of a *prima facie* case for obviousness, which requires all claim limitations be taught or suggested, is also lacking. For example, with respect to claim 32, neither Mogab nor Yeung, alone, or in combination, disclose, teach, or suggest (i) a tilt switch connected between an electrical power source and a processor; (ii) for supplying power to the processor while in an "on" position; (iii) the tilt switch being enclosed and *sealed* within a housing; and (iv) movable between the on and off position by *tilting* the housing," as featured in the claim.

The Examiner acknowledged in para. 5 of the Office Action that Mogab does not disclose a tilt switch, as claimed. The Examiner, however, cited Yeung as disclosing "a tilt switch as power switch." The Yeung tilt switch, however, is in fact an apparatus for inactivating a gas

burner when the inner wall of a tubular portion of an evaporator surrounding the burner is no longer covered by water to prevent premature deterioration of the inner wall. *See* Yeung col. 2, lines 11-17. Yeung is not designed for controlling the water level in the pool but merely for detecting a low water level in a tilted burner. Also, tilting the Yeung kettle may or may not cause the Yeung switch to actuate depending upon whether or not the inner wall of the tubular portion of the evaporator is covered by water. That is, even if tilted, as long as the inner wall of a tubular portion of an evaporator surrounding the burner is covered by water, the burner will not be inactivated. Further, no mention is made in Yeung as to whether or not the Yeung switch is even electrical much less powered by a power source for powering a wireless transmitter or connected between such power source and a processor (which is also not taught or suggested by Yeung). Rather, Applicants must speculate that it is likely connected to a gas fuel supply cutoff because no further description is provided. Thus, Yeung cannot and does not teach or suggest a tilt switch connected between a power source and a processor for supplying power to the processor, as featured in claim 32. Further, even if one were to somehow equate the Yeung tilt switch with the tilt switch 46 as described in the application, it is not described as being enclosed in a housing with a processor. Thus, Yeung does not teach or suggest a tilt switch...for supplying power to the processor while in an on position...and movable between the on and off position by tilting the housing, as featured in claim 32. Nor would Mogab in combination with Martin et al. (U.S. Patent No. 5,664,867) or any other similar switch disclose, teach, or suggest such features for most of the same reasons.

As each and every element as set forth in claim 32 is clearly is not disclosed or suggested by either Mogab or Yeung, alone or in combination, Applicants respectfully submit that the Examiner has not meet the requirements necessary to support a *prima facie* case for rejection under 35 USC § 103(a). Claim 32 is therefore, shown to be allowable.

The dependent claims 33-38 are also correspondingly shown to be allowable. Further, claims 33-38 are also independently patentable. For example, regarding claim 33, neither Mogab nor Yeung, alone or in combination, disclose, teach, or suggest a tilt switch that is in an off position when the housing is inverted from an operational position. Even if the Yeung tilt switch were inside a housing that tilts with the kettle, the tilted position is an operational position and the switch may or may not be positioned to shut off the gas burner, depending upon whether or

not the inner wall of the tubular portion of the evaporator is uncovered. *See* col. 2, lines 11-17. Thus it does not have the same structure of perform the same function as Applicants' tilt switch.

Regarding claim 34, neither Mogab nor Yeung, alone or in combination, disclose, teach, or suggest that the Mogab transmitting microcontroller (24) of the transmitting unit (14) has a wave filter timer that turns on for a selected interval when/if microcontroller (24) detects low water, or that the transmitting microcontroller (24) is adapted to delay the transmitter (16) from sending the low water signal until the end of the selected interval and adapted to cause the transmitter (26) to send the low water signal at the end of the selected interval only if the microcontroller (24) detects low water during substantially the entire featured selected interval. Such features, which are a direct contradiction of the teachings of Mogab, would not be inherent or be inherently obvious to one having ordinary skill in the art especially in light of the fact that Mogab specifically states that "[i]f the water level 13 is below a specified lower threshold, the transmitter 26 sends a radio transmission...." *See* col. 6, lines 30-38. Delaying transmission for a selected interval is a significant power saving feature not disclosed, taught, or suggested except in the Applicants' disclosure.

Regarding claim 35, neither Mogab nor Yeung, alone or in combination, disclose, teach, or suggest an electrical configuration such that a power input of the transmitter is connected to an output of processor so that the transmitter is supplied with power momentarily during each duty cycle of processor when the processor directs the transmitter to send the low water signal. As shown in FIG. 4, the power input of the transmitter (26) is from a 12 volt supply and not from the output of microcontroller (24), thus the transmitter (26) has power continuously available.

Regarding claim 36, neither Mogab nor Yeung, alone or in combination, disclose, teach, or suggest a processor adapted to delay the transmitter from sending a low battery voltage indication until the processor detects low water or to encode the low battery voltage indication into the low water signal when sent by the transmitter. Mogab nor Yeung simply do not disclose such feature.

Regarding claim 37, neither Mogab nor Yeung, alone or in combination with the Examiner's official notice, disclose, teach, or suggest including in a receiving assembly a receiver having an overfill counter that turns on for a selected interval when the receiver receives a low water signal from the transmitter, the overfill counter causing the valve to remain on until



the overfill counter reaches a selected count, or a receiver is adapted to reset the overfill counter prior to reaching the selected count each time that the receiver receives a subsequent low water signal from the transmitter. Applicants respectfully submit that adding such circuit would not be inherently obvious in light of the fact that Mogab specifically indicates that its circuit design functions such that when transmitter (26) stops sending a low water level radio transmission to the receiver (44), the receiver (44) stops sending its own signal to the receiving microcontroller (46) which in turn deactivates the water fill valve (48) to automatically turn off the water supply line to the pool. *See* col. 6, lines 39-44. That is, Mogab specifically teaches *closing* valve (48) in response to termination of a low water level transmission signal. Claim 37, quite differently, requires the valve 23 to specifically remain *open* (not close) for a preselected period of time coinciding with a selected count of an overfill counter. Thus, the Mogab and the Applicants usage of the low water signal are mutually exclusive according to this claim. Therefore, one implementation cannot disclose, teach, or suggest the other--in fact, Mogab inherently teaches away from Applicants' implementation according to this claim.

Regarding independent claim 39, the reasons for not combining Mogab with Yeung, and why such combination would not be successful was described above. Further, neither Mogab nor Yeung, alone or in combination with the Examiner's official notice, disclose, teach, or suggest a wave filter timer within a processor that turns on for a selected interval when the processor detects low water, or a processor having means for delaying the transmitter from sending the low water signal until the end of the selected interval and for causing the transmitter to send the low water signal at the end of the selected interval only if the processor continuously detects low water during the entire selected interval. As noted above, adding such circuit would not be inherently obvious in light of the fact that Mogab specifically indicates that its circuit design functions such that when transmitter (26) stops sending a low water level radio transmission to the receiver (44), the receiver (44) stops sending its own signal to the receiving microcontroller (46) which in turn deactivates the water fill valve (48) to automatically turn off the water supply line to the pool. *See* col. 6, lines 39-44. That is, Mogab specifically teaches *closing* valve (48) in response to termination of a low water level transmission signal. Claim 39, quite differently, requires the valve 23 to specifically remain *open* (not close) for a preselected period of time coinciding with a selected count of an overfill counter. Thus, the Mogab and the Applicants

usage of the low water signal are mutually exclusive according to this claim. Therefore, one implementation cannot disclose, teach, or suggest the other--in fact, Mogab inherently teaches away from Applicants' implementation according to this claim.

Further, as noted previously, Mogab does not disclose, teach, or suggest a low water signal sent by the transmitter (26) is a momentary signal. The Mogab transmitting assembly (14) provides a continuous repeating (periodic) transmission of the low water signal until the "water level has reached a specified upper-level [at which time] the transmitter 26 stops sending the low water level radio transmission to the receiver 44 which in turn stops sending its own signal to the receiving microcontroller 46 which in turn deactivates the water fill valve 48 to automatically turn off the water supply line to the pool." *See Mogab*, col. 6, lines 39-44. Clearly, Mogab is structurally configured to require termination of the transmission as an indication that the proper water level has been reached. Applicants claimed invention requires no such structure or function. Rather, Applicants sensor assembly 21 need only momentarily indicate to its receiving assembly that the water level is low. This is an important distinction and feature of Applicants claimed invention. Accordingly, Applicants respectfully submit that claim 39 is novel, nonobvious, and patentable over the cited references.

The dependent claims 40-42 are also novel, nonobvious, and patentable over the cited references because their corresponding independent claim, claim 39, has been shown to be novel and non-obvious. Nevertheless, the dependent claims include independent novelty and nonobviousness. For example, regarding claim 40, Mogab alone or in combination with Yeung does not disclose, teach, or suggest a power input of a transmitter is connected to an output of a processor so that the transmitter is supplied with power only when the processor directs the transmitter to send the low water signal. As shown in FIG. 4, the power input of the transmitter (26) is from a 12 volt supply and not from the output of microcontroller (24). Thus the transmitter has power continuously available. Mogab (and Yeung) also for this same reason does not disclose, teach, or suggest supplying power to the transmitter (26) from an output of a processor *only* during each duty cycle of the processor, and *only* when the processor directs the transmitter (26) to send the low water signal, as featured in claim 53.

Regarding claim 41, neither Mogab nor Yeung, alone or in combination, disclose, teach, or suggest a processor adapted to delay the transmitter from sending a low battery voltage

indication until the processor detects low water or to encode the low battery voltage indication into a digitally encoded low water signal when sent by the transmitter. The cited references simply do not disclose such feature.

Regarding claim 42, please see the claim 43 discussion, below.

Regarding independent claim 43 (and dependent claim 42), the reasons for not combining Mogab with Yeung and why such combination would not be successful, has been described above. Further, neither Mogab nor Yeung, alone or in combination with the Examiner's official notice, disclose, teach, or suggest including in a receiving assembly a receiver having an overflow counter that turns on for a selected interval when the receiver receives a low water signal from the transmitter, the overflow counter causing the valve to remain on until the overflow counter reaches a selected count to add water to the pool for a preselected time period associated with the selected count after the low water signal has terminated, or a receiver including means to reset the overflow counter prior to reaching the selected count each time that the receiver receives a subsequent low water signal from the transmitter. As noted above, Applicants respectfully submit that adding such circuit would not be inherently obvious in light of the fact that Mogab specifically indicates that its circuit design functions such that when transmitter (26) stops sending a low water level radio transmission to the receiver (44), the receiver (44) stops sending its own signal to the receiving microcontroller (46) which in turn deactivates the water fill valve (48) to automatically turn off the water supply line to the pool. *See* col. 6, lines 39-44. That is, Mogab specifically teaches *closing* valve (48) in response to termination of a low water level transmission signal. Claims 42 and 43, quite differently, require the valve 23 to specifically remain *open* (not close) for a preselected period of time coinciding with a selected count of an overflow counter. Thus, the Mogab and the Applicants usage of the low water signal are mutually exclusive according to this claim. Therefore, one implementation cannot disclose, teach, or suggest the other--in fact, Mogab inherently teaches away from Applicants' implementation according to this claim. This is an important distinction and feature of Applicants claimed invention. Accordingly, Applicants respectfully submit that claims 42 and 43 are novel, nonobvious, and patentable over Mogab.

The dependent claims 44-45 are also novel, nonobvious, and patentable over the cited references because their corresponding independent claim, claim 43, has been shown to be novel

and non-obvious. Nevertheless, the dependent claims include independent novelty and nonobviousness. For example, regarding claim 44, Mogab alone or in combination with Yeung does not disclose, teach, or suggest a power input of a transmitter is connected to an output of a processor so that the transmitter is supplied with power only when the processor directs the transmitter to send the low water signal. As shown in FIG. 4, the power input of the transmitter (26) is from a 12 volt supply and not from the output of micro-controller (24), thus the transmitter has power continuously available. The cited references, for this same reason, also does not disclose, teach, or suggest supplying power to the transmitter (26) from an output of a processor only during each duty cycle of processor, and only when the processor directs the transmitter (26) to send the low water signal, as featured in claim 53.

Regarding claim 45, neither Mogab nor Yeung, alone or in combination, disclose, teach, or suggest a processor adapted to delay the transmitter from sending a low battery voltage indication until the processor detects low water or to encode the low battery voltage indication into the low water signal being or when sent by the transmitter. Mogab simply does not disclose such feature.

Regarding claims 47 and 52, the claims are independently patentable for the reasons provided with respect to claim 32. Regarding claim 53, the claim is independently patentable for the reasons provided with respect to claim 40. Regarding claim 55, the claim is independently patentable for the reasons provided with respect to claim 43.

Please note, in commenting upon the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the references and the present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions or making any amendments herein to create any implied limitations in the claims. Not all of the distinctions between the cited patent documents and Applicants' present invention have been made by Applicants. For the foregoing reasons, Applicants reserve the right to submit additional evidence showing the distinctions between Applicants' invention to be novel and nonobvious in view of the cited patent documents.

In re Application of:  
J. Clifton Gibson, et al.

Serial No. 10/157,477

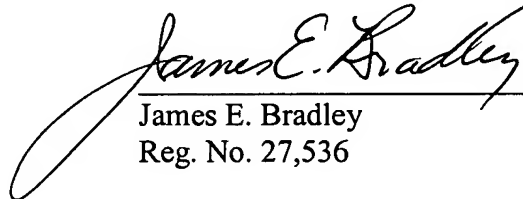
The foregoing remarks are intended to assist the Examiner in re-examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered to be exhaustive of the facets of the invention that render it patentable, being only examples of certain advantageous features and differences.

**CONCLUSION**

In view of the amendments and remarks set forth herein, Applicants respectfully submit that the application is in condition for allowance. Accordingly, the issuance of a Notice of Allowability in due course is respectfully requested.

Respectfully submitted,

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